

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Proposed Order

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Caption in Compliance with D.N.J. LBR 9004-2(c)

MICHAEL B. KAPLAN
CN 4853
Trenton, New Jersey 08650
(609) 587-6888
Standing Chapter 13 Trustee

In Re:

CARLETON M BADGER

Case No. 05-28915

Hearing Date: 04/18/06

Debtor(s) Judge: RAYMOND T LYONS JR

ORDER ON TRUSTEE'S MOTION / APPLICATION TO DISMISS

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

This matter having come before the Court on Motion/Application of Michael B. Kaplan, Trustee, for an Order Dismissing the Debtor's case, and good cause having been shown, it is hereby

ORDERED as follows:

- case is dismissed.
- case is converted to a proceeding under Chapter 7.
- case is converted to a proceeding under Chapter 11.
- case is allowed to continue under Chapter 13 upon the following terms and conditions:
 - (a) payments to the Trustee shall continue in the amount of _____ dollars / month for an additional _____ months;
 - (b) Debtor(s) shall prepare and file with the Court a Wage Order for continuing Trustee payments;
 - (c) If the Debtor(s) fail to make regular plan payments to the Trustee for a period of more than 30 consecutive days, upon the Certification of the Trustee of such non-payments, with Notice of the Certification to the Debtor(s) and the Debtor(s) attorney, if any, the within case shall be dismissed;
 - (d) Other (i.e. Counsel Fee Award or other relief to moving party)

Upon case dismissal or conversion, any funds held by the Chapter 13 Trustee from payments made on account of Debtor(s) Plan, shall be disbursed to the Debtor(s), except as follows:

(a) \$_____ shall be disbursed to Debtor(s) Counsel for Counsel Fees and Costs hereby allowed as an Administrative Expense;

(b) \$_____ to _____ (creditor) for adequate protection payments pursuant to prior Order of the Court.

(c) Other: _____

